

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

EMPIRICAL FOODS, INC.,

Plaintiff and Counter-  
Defendant,

vs.

PRIMUS BUILDERS, INC.,

Defendant,  
Counterclaimant, and  
Third-Party Plaintiff,

vs.

SWISSLOG LOGISTICS, INC.,

Third-Party Defendant.

**ORDER**

**8:19CV457**

After conferring with counsel,

IT IS ORDERED:

1) On or before December 18, 2020, the parties shall jointly submit to the court a proposed order outlining the discovery necessary for informed settlement discussions, the deadlines for providing that information, and the name of the selected neutral for participation in alternative dispute resolution.

2) A mediation or settlement conference will be held on or before January 31, 2021. All parties are required to participate in good faith.

3) The deadline for answering or responding to Swisslog's Crossclaim and empirical's Third Party Complaint, (Filing Nos. 90 and 92) is extended to January 6, 2021.

4) A telephonic conference with the undersigned magistrate judge will be held on February 2, 2021 at 11:00 a.m. to discuss further case progression. This conference will be canceled upon advance notice that the case is settled. Counsel shall use the conferencing instructions assigned to this case to participate in the call.

December 8, 2020.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge